

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOHN BRAUNDMEIER, and KEVIN WALLACE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

ANCESTRY.COM OPERATIONS INC., a Virginia Corporation; ANCESTRY.COM INC., a Delaware Corporation; ANCESTRY.COM LLC, a Delaware Limited Liability Company,

Defendants.

Case No. 1:20-cv-07390

Judge Jeffrey I. Cummings

JOINT MOTION TO SET BRIEFING SCHEDULE

Plaintiffs John Braundmeier and Kevin Wallace and Defendants Ancestry.com Operations, Inc., Ancestry.com, Inc., and Ancestry.com LLC (“Ancestry”), jointly request that the Court set a briefing schedule for Defendants’ Motion for Reconsideration (Doc. 177) and Defendants’ Motion to Exclude Plaintiffs’ Expert Michael Naaman Pursuant to Federal Rule of Evidence 702 (Doc. 189) whereby Plaintiffs’ opposition to each of these motions shall be due on April 5, 2024, and Defendants’ reply in support of each of these motions shall be due on April 19, 2024.

It is Ancestry’s position that to the extent the Court schedules arguments on these motions or the pending motion for class certification (Doc. 162), Defendants’ Motion for Reconsideration (Doc. 177) should be heard first because the reconsideration motion concerns threshold jurisdictional issues. Plaintiffs disagree.

In support of this joint motion, the Parties state as follows:

1. On February 15, 2024, Ancestry filed a Motion for Reconsideration of Motion to Dismiss for Lack of Personal Jurisdiction. Docs. 177, 178.
2. On February 21, 2024, Ancestry filed a Motion to Exclude Plaintiffs' Expert Michael Naaman Pursuant to Federal Rule of Evidence 702. Docs. 189, 190. Dr. Naaman was disclosed as an expert by Plaintiffs related to their motion for class certification. *See* Docs. 167, 174.
3. The Court has not yet set a briefing schedule on these motions.
4. The Parties have conferred and jointly agreed to a briefing schedule whereby Plaintiffs' opposition to each of these motions shall be due on April 5, 2024, and Defendants' reply in support of each of these motions shall be due on April 19, 2024.
5. This requested briefing schedule will not impact any other case deadlines.

The Parties respectfully request that this Court enter an order setting these case deadlines.

Dated: March 5, 2024

Respectfully submitted,

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Dated: March 5, 2024

Respectfully submitted,

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Raina C. Borrelli, hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record via the ECF system.

DATED this 5th day of March, 2024.

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